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**Testimony of Tom Masseau and Mark Cody, Michigan Protection &  
Advocacy Service, Inc. regarding House Bill 5499**

Mr. Chairman and members of the House Committee on Senior Health, Security and Retirement thank you for allowing us the opportunity to provide testimony before you today on House Bill 5499. I am Tom Masseau, Director of Government & Media Relations, and with me is Mark Cody, Legal Director.

Michigan Protection and Advocacy Service, Inc. (MPAS) is the independent, private, nonprofit organization designated by the Governor of the State of Michigan to advocate for and protect the rights of people with disabilities in Michigan. MPAS services include information and referral, short-term assistance, selected individual and legal representation, systemic advocacy, monitoring, and training.

While MPAS supports House Bill 5499, we do have a few clarifying questions and a recommendation. They are as follows:

Sec. 5306A (D) – What is the definition of a qualified guardian?

Sec. 5306A(J) – Who determines what Prudent will look like?

After (4) insert the following:

**A guardian is not authorized to execute a Do-Not-Resuscitate (DNR) Order on behalf of the individual for whom he or she has been appointed.**

MPAS has worked on guardianship issues and one of the troubling issues is the DNR order. We have had instances where guardians have placed a DNR order on individuals without their consent.

Thank you for taking these issues under consideration and we would be happy to answer any questions you may have.